

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**INMOTION IMAGERY
TECHNOLOGIES, LLC,**

Plaintiff,

v.

DELL INC.,

Defendant.

Case No. 2:12-cv-624-RSP

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT
PURSUANT TO P.R. 4-3

Pursuant to Patent Rule 4-3, Plaintiff InMotion Imagery Technologies, LLC (“Plaintiff”) and Defendant Dell Inc. (“Defendant” or “Dell”) submit the following Joint Claim Construction and Prehearing Statement.

A. Construction of Those Claim Terms, Phrases, or Clauses on Which the Parties Agree

Attached hereto as Exhibit A is a chart setting forth the construction of claim terms, phrases, or clauses with respect to U.S. Patent No. 6,526,219 (“’219 Patent”) and U.S. Patent No. 8,150,239 (“’239 Patent”) (collectively, the “Patents-in-Suit”) which includes those constructions on which the parties agree.

B. Each Party’s Proposed Construction of Each Disputed Claim Term, Phrase, or Clause, Together with an Identification of Intrinsic and Other Evidence

The parties set forth a chart in Exhibit A that provides the following: (i) each party’s proposed construction of each disputed claim term, phrase, or clause; (ii) an identification of all references from the specifications and prosecution histories of the Patents-in-Suit that support the parties’ respective constructions; and (iii) an identification of any extrinsic evidence known to the party on which it intends to rely either to support its proposed construction of the claim or to oppose any other party’s proposed construction of the claim, including, but not limited to, as permitted by law, dictionary definitions, citations to learned treatises and prior art, and testimony of percipient and expert witnesses.

C. The Anticipated Length of Time Necessary for the Claim Construction Hearing

The Court has set the Claim Construction Hearing for August 8, 2013 at 9:00 a.m. The parties anticipate that the hearing will take no more than three hours, with time evenly divided between Plaintiff and Defendants.

D. Possible Witnesses at the Claim Construction Hearing

The parties do not intend to call any witnesses at the Claim Construction Hearing.

E. Prehearing Conference

The parties do not believe that a Prehearing Conference is necessary in this case.

Dated: June 6, 2013

/s/ Roger Fulghum

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